

State of California
Business, Consumer Services and Housing Agency
California Department of Housing and Community Development
DUTY STATEMENT

Division: Legal Affairs Division
Unit: Housing Policy Enforcement
Position Number: 401-104-5795-059 (PS 2342)
Classification: Attorney III
Working Title: Attorney III
Location: HQ
Incumbent: Vacant
Effective Date: TBD

Department Statement: You are a valued member of the Department's team. You are expected to work cooperatively with team members and others to enable the Department to provide the highest level of service possible. Your creativity and ingenuity are encouraged. Your efforts to maintain regular attendance and treat others fairly, honestly, and with respect are critical to the success of the Department's mission.

Job Summary: Under the general direction of the Assistant Chief Counsel, the Attorney III independently provides legal advice and performs the more complex and sensitive legal assignments in connection with the broad range of unique programs administered by the Department's divisions, including the Codes and Standards Division, the Federal Division of Financial Assistance, the State Division of Financial Assistance, and the Housing Policy Development Division.

% of Time	Essential Functions:
30%	Independently perform the complex transactional work associated with awarding and disbursing federal- and state-funded grants or loans for multifamily or single-family housing. Such work includes review and analysis of a broad range of transactional documents, including, without limitation, the following: project reports, title reports, bond documents, contracts, grant documents, loan documents, easements, leases, subordination instruments, deed restrictions, staff-prepared transaction summaries, letters, briefs, analyses, claims, estoppel agreements, and memoranda. Demonstrate expertise in drafting contracts, use restrictions, and other documents related to the disbursement of federal- and state-funded grants or loans for multifamily or single-family housing. Be expert in the regulations, statutes, and other legal authorities that involve or impact the disbursement or administration of multifamily or single-family grants and loans. Review, analyze, and provide legal advice relative to proposed legislation or rulemaking packages. Mentor or assist, as needed, less experienced attorneys with some or all of the above.

- 30% Perform complex and difficult legal research and analysis relative to issues within the Department's jurisdiction; draft legal memoranda, briefs, or other communications to advise and inform supervisors, legislative or executive officials, management and/or Department staff. Such advice must be responsive to a wide range of legal issues, including those pertaining to fund disbursement, organizational structures, federal and state loan programs, contracts, deeds of trust, grant or loan lien and security matters, regulatory agreements, covenants that run with the land, title reports, encumbrances, preliminary reports, matters associated with low-income housing tax credits and tax-exempt housing bonds, and other financial and real property documents and issues. Mentor or assist, as needed, less experienced attorneys with some or all of the above.
- 20% Perform complex legal analysis and transactional work to support the unique programs of the Department of Housing and Community Development. Such work includes drafting and negotiating loan terms; reviewing loan, contract, title, and other documents; and restructuring or modifying the terms of existing loans in the Department's portfolio in order to support project feasibility. Provide legal assistance and consultation with respect to project restructuring, refinancing, or modification by reviewing all relevant transactional documents, including other lenders' loan documents, and by ensuring compliance with all program and legal requirements. Draft complex legal documents, function as a subject matter expert, and expertly apply all applicable laws in connection with the restructuring of multifamily or single-family grants, loans or projects. Independently develop presentations in support of departmental activities and functions. Provide technical assistance and consultation to a broad range of constituencies and gather stakeholder input through workshops, surveys, and public comment. Represent the Department as a member of external committees, interagency efforts, advisory bodies and other groups addressing assigned area of expertise.
- 15% Provide legal advice, consultation, and drafting in connection with notices of funding availability, standard agreements, estoppels, and other contracts and matters involving multifamily and single-family grants, loans, and services. Function as a subject matter expert regarding all applicable regulations, statutes and other legal authorities that involve or impact notices of funding availability, standard agreements, estoppels, and other contracts and matters. Mentor or assist, as needed, less experienced attorneys with some or all of the above. Engage and lead others in difficult negotiations, discussions, and meetings regarding complex loan and/or grant issues, loan, grant or project restructurings, real property issues, monitoring issues regarding loan or grant programs, contract issues, and other legal matters and issues. Assist staff in monitoring Department-funded housing projects for compliance with regulatory agreements, enforcing deeds of trust, developing workouts, and performing related post-development activities. Function as a subject matter expert regarding, and expertly apply, all applicable regulations, statutes and other laws that involve or impact real property issues, monitoring issues, loan or grant programs, contract issues, and other legal

matters and issues. Mentor or assist, as needed, less experienced attorneys with some or all of the above.

% of Time	Marginal Functions:
5%	Other job-related duties assigned

Special Requirements: (Define all that apply)

Travel: Up to 5% statewide travel may be required.

Supervision Exercised: None

Conflict of Interest (COI): Form 700 reporting required.

Background Check: None

Live Scan: None

Bilingual, specify language: None

License/Certification: None

Medical Clearance: None

Other, please specify: None

Physical Requirements: The position requires the ability to sit, stand, read, communicate and work on a computer for extended periods of time.

Working Conditions: The incumbent works in an office setting. Air conditioned, high-rise building with elevator access, cubicle or office with natural and artificial lighting.

Administrative Responsibility: The incumbent advises Executive leadership on both specific and general policy issues affecting Departmental programs and will support the Department's capacity to obtain funds to manage programs in support of the Department's mission and policies.

Personal Contacts: The incumbent will serve as the main contact between the assigned Housing Policy Development Division activities and a wide variety of internal external stakeholders.

Consequence of Error: This position has responsibility to help ensure that the principles and practices of the Division are carried out and implemented in accordance with the Department's mission, policies and procedures, as well as federal, state and local laws. Lack of knowledge, inaccurate work, misunderstanding, poor judgement, or inadequate analyses could result in misleading information being provided to the Department, state and local agencies or create misleading perceptions.

Diversity, Equity, and Inclusion: All employees at HCD are expected to uphold the values of diversity, equity, and inclusion (DEI) which includes being committed to fostering an environment in which employees for a variety of backgrounds, cultures, and personal experiences feel

welcomed and can thrive. Staff are expected to be respectful of differences, treat others with respect, encourage others to participate, foster innovations, and stay committed to all DEI efforts in the workplace.

Equal Employment Opportunity: All HCD employees are expected to conduct themselves in a professional manner that demonstrates respect for all employees and others they come in contact with during work hours, during work-related activities, and anytime they represent the Department. Additionally, all HCD employees are responsible for promoting a safe and secure work environment, free from discrimination, harassment, inappropriate conduct, or retaliation.

I have read and understand the duties and requirements listed above and am able to perform these duties with or without reasonable accommodation. (If you believe reasonable accommodation may be necessary, or if unsure of a need for reasonable accommodation, inform the hiring supervisor.)

Employee Name: _____ Date: _____

Employee Signature: _____

I certify this duty statement represents an accurate description of the essential functions of this position. I have discussed the duties and have provided a copy of this duty statement to the employee named above.

Supervisor Name: _____ Date: _____

Supervisor Signature: _____

*Please return the signed original duty statement to the Human Resources Branch to be filed in the Official Personnel File.